

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UMG RECORDINGS, INC., a Delaware ) corporation; SONY BMG MUSIC ) ENTERTAINMENT, a Delaware general ) partnership; LAFACE RECORDS LLC, a Delaware ) limited liability company; ARISTA RECORDS ) LLC, a Delaware limited liability company; and ) BMG MUSIC, a New York general partnership, ) ) ) Plaintiffs, ) ) vs. ) ) KAYLE JAMES, ) ) ) Defendant. )	)	Case No. 08 C 477
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**INITIAL STATUS REPORT**

Pursuant to Rule 26(f) counsel for the Plaintiffs attempted to contact Defendant but was unable to confer regarding the contents of this report. Accordingly, Plaintiffs respectfully submit the following Initial Status Report:

**1. Attorneys of Record for Each Party:**

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Ann M Bredin (ARDC #06255663)  
Amanda C. Jones (ARDC # 06286509)  
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***Attorneys for Plaintiffs***

Kayle James  
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***Defendant – no attorney on record***

**2. Basis for Federal Jurisdiction** - This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C.

§ 101 *et seq.*). This Court has jurisdiction under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

3. **Nature of Claims** – This action seeks redress for Defendant's infringement of Plaintiffs' copyrighted sound recordings, pursuant to the Copyright Act of 1976, 17 U.S.C. § 101 *et seq.* (West 1996 & Supp. 2003). Plaintiffs are recording companies that own or control exclusive rights to copyrights in sound recordings. Plaintiffs allege that the defendant infringed (1) their exclusive right to reproduce certain of their copyrighted sound recordings, by using an online media distribution system to download the copyrighted sound recordings through the Internet to defendant's computer hard drive; and (2) their exclusive right to distribute the copyrighted sound recordings, by using an online media distribution system to make them available for copying by the general public.

4. **Parties Not Served** - Defendant

5. **Principal Legal Issues:**

(a) Whether or not Defendant has infringed Plaintiffs' copyrighted sound recordings, pursuant to the Copyright Act of 1976, 17 U.S.C. § 101 *et seq.* If Defendant is found to have violated Plaintiffs' rights under 17 U.S.C. § 101 *et seq.*, this Court shall also determine the appropriate statutory damages pursuant to 17 U.S.C. § 504(c) and whether or not to grant Plaintiffs' request for attorneys' fees and costs pursuant to 17 U.S.C. §505.

(b) Whether or not Defendant's conduct is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury and, if so, to grant Plaintiffs' request for a permanent injunction against Defendant.

6. **Principal Factual Issues:** See Above

7. **Jury Trial:** Neither party has requested a jury trial

8. **Discovery:** No discovery has been conducted at this time. Plaintiffs propose the following discovery plan:

a) Discovery will be needed regarding Defendant's alleged history of downloading, including history of downloading songs; Defendant's computer; and any defenses raised by Defendant;

(b) Rule 26(a)(1) disclosures to be exchanged by **April 11, 2008;**

(c) Fact discovery completed by **September 26, 2008;**

(d) Expert discovery completed and reports exchanged by **August 8, 2008;**

(e) Dispositive motions filed by **December 19, 2008**;

(f) Final pretrial order filed **January 16, 2009**.

9. **Trial Ready Date:** **March 2009**

10: **Consent to Proceed Before a Magistrate Judge**

Plaintiffs do not consent to proceed before a Magistrate Judge.

11. **Status of Settlement Discussions**

A. The parties have not had settlement discussions despite Plaintiffs' attempts to contact Defendant for that very purpose.

B. At this time, Plaintiffs do not request a settlement conference.

Respectfully submitted,

DATED: March 12, 2008

By: /s/ Amanda C. Jones  
One of their attorneys

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